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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 JOSEPH ANDREW HYLKEMA,

10 Plaintiff,

11 v.

12 PALISADES COLLECTION, LLC, *et al.*,

13 Defendants.

Case No. C07-1679RSL

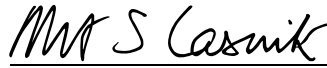
ORDER DENYING
PLAINTIFF'S MOTION TO
DISMISS COUNTERCLAIM

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15 This matter comes before the Court on plaintiff's motion to dismiss defendants'
16 counterclaim filed under 15 U.S.C. § 1692k(3) for attorney's fees and costs. Defendants
17 contend that plaintiff has brought this action in bad faith and for the purpose of
18 harassment.

19 Plaintiff alleges that the counterclaim fails to state a cause of action under Bell
20 Atlantic Corp. v. Twombly, ___ U.S. ___, 127 S. Ct. 1955 (2007). However, defendants
21 have filed a motion to amend to bolster the counterclaim, and the Court granted that
22 motion. In addition, despite plaintiff's contention, the counterclaim is not premature.

1 Accordingly, plaintiff's motion to dismiss (Dkt. #6) is DENIED.

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3 DATED this 15th day of January, 2008.

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6 Robert S. Lasnik
7 United States District Judge
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